

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

SA'AD EL-AMIN,

Plaintiff

v.

Civil Action No. 3:12CV538

ROBERT F. McDONNELL,
JANET VESTAL KELLY, and
J. KIRK de COURCEY SHOWALTER,

Defendants.

ANSWER

COMES NOW defendant, J. Kirk de Courcey Showalter ("Ms. Showalter"), by counsel,
and for and in support of her answer to the Complaint and states as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Paragraph 8 of the Complaint states a conclusion of law to which no factual response is required.
9. Paragraph 9 of the Complaint states a conclusion of law to which no factual response is required.

10. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

11. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

12. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

13. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

14. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

15. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

16. Admitted.

17. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

18. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

19. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

20. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

21. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

22. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

23. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

24. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

25. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

26. Paragraph 26 of the Complaint states a legal conclusion to which no factual response is required.

27. Paragraph 27 of the Complaint states a conclusion of law to which no factual response is required.

28. Paragraph 28 of the Complaint states a conclusion of law to which no factual response is required.

29. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

30. Paragraph 30 of the Complaint states a legal conclusion to which no factual response is required.

31. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

32. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

33. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

34. Responding to paragraph 34 of the Complaint, it is admitted that Virginia seceded from the Union. Ms. Showalter is without sufficient information to either admit or deny the remaining allegations in this paragraph.

35. Responding to paragraph 35 of the Complaint, it is admitted that some time after it seceded from the Union, Virginia joined the Confederate States of America. The Civil War ensued. Ms. Showalter is without sufficient information to either admit or deny the remaining allegations in this paragraph.

36. Responding to paragraph 36 of the Complaint, it is admitted that the Army of Northern Virginia engaged the Army of the Potomac in Maryland and Pennsylvania. Ms. Showalter is without sufficient information to either admit or deny the remaining allegations in this paragraph.

37. Paragraph 37 of the Complaint states a conclusion of law to which no factual response is required.

38. Paragraph 38 of the Complaint states a conclusion of law to which no factual response is required.

39. Paragraph 39 of the Complaint states a conclusion of law to which no factual response is required.

40. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

41. Responding to paragraph 41 of the Complaint, Ms. Showalter admits that the 14th amendment was ratified, but is without sufficient information to either admit or deny the remaining allegations in this paragraph.

42. Responding to paragraph 42 of the Complaint, Ms. Showalter admits that the 14th Amendment was ratified, but is without sufficient information to either admit or deny the remaining allegations in this paragraph.

43. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

44. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

45. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

46. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

47. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

48. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

49. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

50. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

51. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

52. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

53. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

54. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

55. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

56. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

57. Responding to Paragraph 57 of the Complaint, Ms. Showalter admits that the 15th Amendment was passed. The remaining allegations contained in this paragraph state a conclusion of law to which no factual response is required.

58. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

59. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

60. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph. Stating further, this paragraph is denied to the extent that it differs from the document. The document speaks for itself.

61. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

62. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

63. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

64. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

65. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

66. Ms. Showalter restates and re-alleges the responses to paragraphs 1 through 65 of the Complaint as if fully set forth herein.

67. Paragraph 67 of the Complaint states a conclusion of law to which no factual response is required.

68. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

69. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

70. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

71. Responding to paragraph 71 of the Complaint, Ms. Showalter acknowledges that the vast majority of persons who sided with the Confederacy against the Union in the Civil War were White.

72. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

73. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

74. Paragraph 74 of the Complaint states a legal conclusion, to which no factual response is required. To the extent a response is deemed required, Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

75. Paragraph 75 of the Complaint states a legal conclusion, to which no factual response is required. To the extent a response is deemed required, Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

76. Paragraph 76 of the Complaint states a legal conclusion, to which no factual response is required. To the extent a response is deemed required, Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

77. Paragraph 77 of the Complaint states a legal conclusion, to which no factual response is required. To the extent a response is deemed required, Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

78. Ms. Showalter restates and re-alleges the responses to paragraphs 1 through 77 of the Complaint as if fully set forth herein.

79. Paragraph 79 of the Complaint states a legal conclusion, to which no factual response is required. To the extent a response is deemed required, Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

80. Paragraph 80 of the Complaint states a conclusion of law to which no factual response is required.

81. Paragraph 81 of the Complaint states a conclusion of law to which no factual response is required.

82. Paragraph 82 of the Complaint states a conclusion of law to which no factual response is required.

83. Paragraph 83 of the Complaint states a conclusion of law to which no factual response is required.

84. Paragraph 84 of the Complaint states a conclusion of law to which no factual response is required.

85. Paragraph 85 of the Complaint states a conclusion of law to which no factual response is required.

86. Ms. Showalter restates and re-alleges the responses to paragraphs 1 through 86 of the Complaint as if fully set forth herein.

87. Denied to the extent this states or implies any arbitrary or capricious action or activity by Ms. Showalter.

88. Ms. Showalter restates and re-alleges the responses to paragraphs 1 through 88 of the Complaint as if fully set forth herein.

89. This paragraph is denied to the extent that it differs from the document. The document speaks for itself.

90. Paragraph 90 of the Complaint states a conclusion of law to which no factual response is required.

91. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

92. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

93. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

94. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

95. Responding to paragraph 95 of the Complaint, Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

96. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

97. Ms. Showalter is without sufficient information to either admit or deny the allegations in this paragraph.

98. Paragraph 98 of the Complaint states a conclusion of law to which no factual response is required.

Affirmative Defenses

1. Plaintiff has failed to state a claim upon which relief can be granted. See Richardson, County Clerk and Registrar of Voters of Mendocino County v. Ramirez et al. 418 U.S. 24; 94 S. Ct. 2655 (1974).

2. The plaintiff's claims are moot.

3. The plaintiff's claims are barred by the doctrine of laches.

4. Ms. Showalter is unable to provide the plaintiff with the relief that he seeks.

5. Ms. Showalter reserves the right to amend her affirmative defenses as they may be determined through the discovery process.

Wherefore, J. Kirk de Courcey Showalter respectfully requests that this matter be dismissed and that she be awarded costs and other such relief as may be appropriate.

J. KIRK de COURCEY SHOWALTER

By: ____/s/_____
Counsel

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Counsel for Defendant J. Kirk de Courcey Showalter

Certificate of Service

I hereby certify that on this 23rd day of August, 2012, a true and accurate copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, and was served via U.S. Mail, postage prepaid, on the following *pro se* plaintiff:

Sa'ad El-Amin
24 Overbrook Road
Richmond, VA 23222

/s/
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